

Message Text

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APPROVED BY EUR/WE - RICHARD VINE

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C O N F I D E N T I A L STATE 066284

E.O. 11652: GDS

TAGS: PGOV, PINT, PINS, WB, GW

SUBJECT: LORENZ CASE

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REF: US BERLIN 485; BONN 04346; DEPARTMENT'S A-775,
FEBRUARY 5, 1975

1. EMBASSY BONN AND US MISSION BERLIN ARE COMMENDED FOR THOUGHTFUL ANALYSES OF LORENZ CASE CONTAINED REFTELS WHICH EMPHASIZE THE DIFFICULTIES FACED BY SOVEREIGN GOVERNMENTS, IN THIS CASE THE FRG, IN DEALING WITH A HOSTAGE SITUATION, AND, IN PARTICULAR, IN MAKING THE AGONIZING DECISIONS WHERE HUMAN LIVES ARE DIRECTLY INVOLVED. THE DILEMMA FACED IS ESPECIALLY WELL PRESENTED IN PARA 2 US BERLIN REFTEL.

2. US POLICY ON MATTERS OF THIS NATURE WHERE AMERICAN CITIZENS ABROAD ARE INVOLVED IS SPELLED OUT IN ENCLOSURE NO. 2 TO A-775 UNDER REFERENCE. THE IDEAL OBJECTIVE OF US POLICY IS THE SAFE RETURN OF THE HOSTAGE(S) BY WHATEVER MEANS MAY BE APPROPRIATE AND IF POSSIBLE WITHOUT PROVIDING AN INCENTIVE FOR FUTURE TERRORISM. THIS OBJECTIVE OBVIOUSLY CANNOT ALWAYS BE MET AND VARIATIONS THEREOF USUALLY EVOLVE AS THE SITUATION DEVELOPS.

3. WE THUS CANNOT BE OVERLY CRITICAL OF THE POLICY FOLLOWED AND THE DECISIONS TAKEN BY THE FRG, IN THE LORENZ

CASE. WE NEVERTHELESS BELIEVE THAT FRG MAY HAVE BEEN TOO PRECIPITATE IN IMMEDIATELY YIELDING TO ALL DEMANDS. EXPERIENCE IN MANY CASES HAS SHOWN THAT BY THE USE OF IMAGINATIVE DELAYING TACTICS IN A NEGOTIATION, THE KIDNAPPERS OFTEN ARE MADE TO BECOME MORE AND MORE CONCERNED WITH THEIR OWN SAFETY AND LESS AND LESS PREOCCUPIED WITH THEIR POLITICAL OBJECTIVES. THIS ADMITTEDLY INVOLVES MORE RISK FOR THE HOSTAGES AND THE GOVERNMENT CONCERNED MUST WEIGH THIS RISK. IN THIS CASE, THE FRG FOR A VARIETY OF REASONS FOUND THE RISK UNACCEPTABLE. THE USG IN SIMILAR CIRCUMSTANCES MIGHT COME TO THE SAME DECISION, BUT OTHER OPTIONS WOULD HAVE BEEN THOROUGHLY CONSIDERED.

4. FOLLOWING TWO PARAS GEARED TO SPECIFIC QUESTIONS POSED IN PARA 1 BONN REFTEL CONCERNING POSSIBLE PROVISION US AIRCRAFT OR POSSIBLE ACCESS TO BERLIN OF WEST GERMAN AIRCRAFT. IN GENERAL, THE USG WILL NOT BE WILLING TO PROVIDE CONFIDENTIAL

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US MILITARY AIRCRAFT FOR ESCAPE OF KIDNAPPERS OR TRANSPORTATION OF FREED PRISONERS. THE USG WILL NOT REQUEST US CIVILIAN FLAG CARRIERS TO USE THEIR PLANES FOR SUCH PURPOSES. IF ASKED BY US FLAG CARRIERS FOR GUIDANCE IN ANSWER TO REQUESTS FROM A HOST GOVERNMENT FOR AIRCRAFT, THE USG WILL GENERALLY ADVISE AGAINST IT, BUT WILL NOT EXPRESSLY FORBID SUCH USE. RATIONALE FOR FOREGOING IS THAT BY PROVIDING AIRCRAFT USG WOULD SIMPLY BE PROVIDING

MORE HOSTAGES TO THE TERRORISTS AND ENDANGERING MORE INNOCENT LIVES, THUS VIOLATING A FUNDAMENTAL PRINCIPLE OF HOSTAGE NEGOTIATION. THE USG WOULD BE WILLING TO PROVIDE OR OTHERWISE MAKE AVAILABLE, IF FEASIBLE, MILITARY OR CIVILIAN AIRCRAFT FOR AUXILIARY PURPOSES CONNECTED WITH A RESCUE EFFORT OR CONTINUING HOSTAGE NEGOTIATIONS AS WE DID IN THE LORENZ CASE. SUCH AIRCRAFT WOULD BE PROVIDED AT THE EXPENSE OF THE HOST GOVERNMENT.

5. REGARDING ACCESS TO BERLIN OF WEST GERMAN AIRCRAFT, WE WOULD NOT TOTALLY EXCLUDE APPROACH TO SOVIET UNION ON EXCEPTIONAL, NON-PRECEDENT BASIS, DEPENDING ON CIRCUMSTANCES. HOWEVER, WE WOULD HAVE TO CONSIDER LIMITED POSSIBILITY OF SUCCESS OF SUCH AN APPROACH AND THE IMPLICATION THAT THE SOVIETS HAVE A ROLE TO PLAY WITH THE ALLIES IN EMERGENCY SITUATIONS IN WEST BERLIN. MOREOVER, WHATEVER DISCLAIMER WE MIGHT MAKE, THE LIKELIHOOD IS HIGH THAT THIS OPTION WOULD COME BACK TO HAUNT US IN FORM OF FUTURE PRESSURE FROM LUFTHANSA AND FRG. WE WOULD THEREFORE WISH TO CONSIDER THIS OPTION ONLY AS LAST RESORT AND AFTER ALL OTHER AVAILABLE OPTIONS HAVE BEEN EXPLORED AND FOUND TO BE INFEASIBLE.

6. REGARDING PARA 2 BONN REFTTEL, WE AGREE WITH EMBASSY RECOMMENDATION THAT CURRENT POLICY CONCERNING PRIVATE ARMS SHOULD BE MAINTAINED. WE WOULD NOT WANT TO ESTABLISH PRECEDENT IN THIS RESPECT WHICH WOULD BE RAISED IN EVERY PERIOD OF INCREASED TENSION IN BERLIN. WE ALSO STRONGLY BELIEVE THAT INTRODUCTION OF PRIVATE ARMS INTO ALREADY TENSE SITUATION WOULD HURT MORE THAN HELP.

7. REGARDING SHARING OF EXPERTISE (PARA 3 BONN REFTTEL), EMBASSY IS UNDOUBTEDLY AWARE THAT 1974 FOREIGN ASSISTANCE CONFIDENTIAL

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ACT SPECIFICALLY PROSCRIBES FOREIGN POLICE TRAINING. HOWEVER WE WOULD BE PREPARED CONSIDER POSSIBILITY SENDING ONE OR MORE EXPERTS IN TERRORISM FIELD TO WEST GERMANY AND/OR BERLIN FOR REVIEW OF METHODS FOR COUNTERING TERRORISM, PROVIDED THAT FINANCIAL ARRANGEMENTS CAN BE WORKED OUT. WE WOULD ALSO WELCOME VISIT TO THIS COUNTRY FOR SAME PURPOSE BY FRG OR WEST BERLIN POLICE OR OTHER OFFICIALS CONCERNED WITH THE PROBLEM. KISSINGER

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